
OLR Bill Analysis

sHB 6533

AN ACT CONCERNING HYDRAULIC FRACTURING WASTE.

SUMMARY:

This bill places a one-year moratorium on any person (individuals or business entities) (1) treating, discharging, or disposing of any hydraulic fracturing (fracking) waste, (2) holding any fracking waste for treatment or disposal, (3) using fracking waste to manufacture any item, product, or material, or (4) selling any item, product, or material to which fracking waste has been added. The bill allows the Department of Energy and Environmental Protection (DEEP) commissioner to adopt regulations to enforce the moratorium, which ends on July 1, 2014.

The bill requires DEEP to prepare a comprehensive assessment on fracking waste, including (1) its environmental and socio-economic effects on water quality, public health, private property, public lands, livestock, wildlife, public roadways, and seismic vulnerability; (2) its economic effects on job loss or creation; and (3) recommendations for necessary legislation, including whether the bill's moratorium should be extended. DEEP must report to the Energy Committee by February 1, 2014.

EFFECTIVE DATE: July 1, 2013

DEFINITIONS

Under the bill, hydraulic fracturing is the process of pumping any fluid into or under the ground's surface to (1) create fractures in rock and (2) produce or recover oil or gas. Hydraulic fracturing waste is wastewater, wastewater solids, sludge, drill cuttings, or other byproducts from hydraulic fracturing.

Fracking waste treatment includes any method, technique, or process to change the waste's physical, chemical, or biological character or composition to:

1. neutralize it;
2. recover material resources from it;
3. make it (a) safer for transport or disposal, (b) amenable for recovery or storage, (c) convertible to another usable material, or (d) reducible in volume; or
4. render its hazardous elements nonhazardous.

Fracking waste discharge is any emission other than natural seepage, including intentionally or unintentionally spilling, leaking, pumping, pouring, emitting, emptying, or dumping the waste. Fracking waste disposal is discharging, depositing, injecting, dumping, or placing the waste on land or water so that it enters the environment, is emitted into the air, or discharges into any water, including groundwater.

BACKGROUND

Related Bill

HB 5335, favorably reported by the Environment Committee, bans possessing or storing fracking waste by-products.

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable Substitute

Yea 21 Nay 3 (03/21/2013)